

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT

STATE OF IDAHO, COUNTY OF ADA

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IMPOSITION OF MASK AND SOCIAL  
DISTANCING REQUIREMENTS IN  
COURTROOMS AND COURT RELATED  
AREAS IN THE ADA COUNTY  
COURTHOUSE DUE TO COVID-19

ADMINISTRATIVE ORDER

NO. 21-08-06-01

Consistent with the Idaho Supreme Court's June 24, 2021 Emergency Order Regarding Court Services<sup>1</sup> in an effort to address the substantial safety risks confronted by the public accessing the courts, court personnel, and participants in court proceedings caused by the community spread of COVID-19 in Ada County<sup>2</sup> the following requirements are imposed in the Ada County Juvenile Court building and the Ada County Courthouse effective August 9, 2021, until further notice:

<sup>1</sup>

If . . . a county's seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 is 25.0 or greater per 100,000 population, the Administrative District Judge shall enter an administrative order defining the safety protocols that will be required in the county's courthouse. The order will, at a minimum, require all persons entering the courthouse to do court business to wear a mask that covers the nose and mouth and maintain six feet of social distance from anyone that does not live in their household.

If . . . a county's seven-day moving average incidence rate of confirmed or presumed cases of COVID-19 is 24.9 or lower, the Administrative District Judge is responsible for ensuring adequate measures are in place in each courthouse to reduce the risk of transmission of the coronavirus to all persons participating in a court proceeding or doing court business. Adequate measures may include, but are not limited to, social distancing requirements, masking requirements, and requiring use of remote proceedings. In determining adequate measures, the Administrative District Judge should consider local conditions including, but not limited to, the COVID-19 incidence rate of the county as reflected in the weekly incidence report[.] Idaho Supreme Court's June 25, 2021 Amended Order Re: Emergency Order Regarding Court Services, at 1-2.

<sup>2</sup>Ada County's COVID-19 case count numbers have been steadily increasing for several weeks and as of August 5, 2021, the county's seven-day moving average incidence rate of presumed or confirmed COVID-19 cases was 28.6 per 100,000.

1. Clerks' Counter at Ada County Courthouse and Juvenile Court Building. The clerks interacting with members of the public at the clerk's counter at the Juvenile Court building and on the first-floor clerks' counter of the Ada County Courthouse, and members of the public seeking service at such clerks' counters, must wear masks that cover the nose and mouth.
2. Courtrooms in Ada County Courthouse and Juvenile Court Building. In any anteroom, jury deliberation room or courtroom when members of the public (including parties, counsel, witnesses and jurors) are present during a court proceeding, all persons in such room must wear a mask that covers the nose and mouth<sup>3</sup> and--if feasible--maintain six feet of social distance from any person that does not live in their household.
3. Public Common Areas of Certain Court Facilities in the Ada County Courthouse and the Juvenile Court Building. Any person entering the public common areas on the second, fourth and fifth floors of the Ada County Courthouse, or the public areas of the Juvenile Court building, including the hallways and restrooms therein, must wear a mask that covers the nose and mouth and must maintain six feet of social distance from any person that does not live in their household.
4. Secured Areas of Ada County Courthouse and the Juvenile Court Building. In common areas of the secured<sup>4</sup> portions of the Juvenile Court Building and such areas of the second, fourth and fifth floors of the Ada County Courthouse, including hallways, restrooms, break rooms and conference rooms, and the secured elevator on the north face of the Ada County Courthouse, all persons must wear a mask that covers the nose and mouth and maintain six feet of social distance from any person that does not live in their household;

Failure to comply with the terms of this order may be treated as a contempt of court. See Idaho Code § 18-1801; Title 7, Chapter 6, Idaho Code; I.R.C.P. 75; I.C.R. 42.

A copy of this order must be displayed at all entrances to the Juvenile Court

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<sup>3</sup>The mask requirement does not apply to witnesses while testifying or court interpreters while engaged in interpreting.

<sup>4</sup> "Secured" in this paragraph refers to areas where the general public is generally not permitted to go without permission of the court; for example, the back hallways adjacent to the judges' chambers in the Ada County Courthouse.

Building and the Ada County Courthouse accessible to the public.

IT IS SO ORDERED.

Dated this 6<sup>th</sup> day of August 2021.



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HONORABLE STEVEN J. HIPPLER  
Administrative District Judge  
Fourth Judicial District

cc: All Ada County Judges  
Sandra Barrios, Trial Court Administrator, Fourth Judicial District  
Phil McGrane, Ada County Clerk of Court  
Robert Reisig, Administrative Staff Attorney  
Idaho Supreme Court, AdminOrders@idcourts.net  
Alison Tate, Director, Juvenile Court Services

Jan Bennetts, Ada County Prosecutor  
Jayme Sullivan, Boise City Prosecutor  
Charles Wadams, Garden City Prosecutor  
Tony Geddes, Ada County Public Defender  
Randy Rutland, Ada County Jury Commissioner